Supreme Court, U.S.
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JOSEPH F. SPANIOL, JR.
CLERK

NO. 86 - 104

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1986

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THE BOARD OF AIRPORT COMMISSIONERS OF
THE CITY OF LOS ANGELES, ET AL.,

Petitioners,

vs.

JEWS FOR JESUS, INC.
AND ALAN HOWARD SNYDER,
a/k/a AVI SNYDER,

Respondents,

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ON WRIT OF CERTIORARI: TO THE
UNITED STATES COURT OF APPEALS FOR
THE NINTH CIRCUIT

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BRIEF OF JESUS PEOPLE U.S.A. FULL GOSPEL MINISTRIES AMICUS CURIAE ON BEHALF OF RESPONDENT, JEWS FOR JESUS, INC. AND AVI SNYDER

o

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INTEREST OF AMICUS CURIAE

Jesus People, U.S.A. Full Gospel Ministries ("Jesus People") is an Illinois not - for - profit corporation incorporated in 1973. The members of the corporation live as a community in the "uptown" area of Chicago, which is one of the poorest areas of the inner-city, and commit themselves to a life of service to the Lord with particular emphasis on helping the poor, feeding the hungry and housing the homeless. As part of the expression of the faith of the Jesus People Community, members communicate to others that by trusting in Jesus, individuals can experience true peace in this life and an eternal life with God. This expression is integral to the faith of the Jesus People just as it is to the Jews for Jesus. One means of communication used by the Jesus People is the distribution of free religious literature by members to the public on a person-to-person, face-to-face basis which involves a member going to a public place and offering literature to people who may be walking nearby. The distribution of free religious literature by the Jesus People has taken place on streets, on sidewalks, in parks, outside of arenas and auditoriums, in airports, shopping centers, and other public areas in the Chicago area.

SUMMARY OF ARGUMENT

The freedoms of Americans to communicate with each other should not be diminished because of changes in architecual design or the evolution of building patterns, or because increased wealth enables governemts to enclose public ways.

ARGUMENT

As new buildings have been erected in Chicago it has become apparent that more and more buildings are "self-contained" (with working facilities, restaurants and shops within the same enclosed office building), and that to an even greater degree, buildings are being linked together by underground or aboveground passage ways, both heated and unheated. Because weather conditions in Chicago are particularly severe in the winter (large snowfalls, bitter cold and high wind chill

factors) and long periods of rain in the spring, early summer and fall, more and more people have been utilizing the self-contained and inter-connected buildings rather than travel outdoors. Also, shopping patterns are shifting. Rather than travel to several stores, people shop at one enclosed mall containing many stores. Likewise, all of the terminals at O'Hare airport have been linked together by above ground and underground enclosed pedestrian walkways so that individuals do not need to walk outside to travel from one terminal to another. In fact, due to architectural configurations, it is more convenient for people to walk between terminals via enclosed passageways than to go outside and walk on an unenclosed sidewalk.

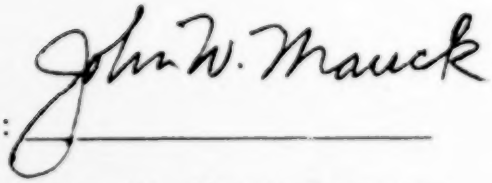
The effect of determining that airports and other public transporation terminals are not "public forums" would be to deprive the Jesus People, and many other groups, of a significant area in which to communicate their beliefs. Millions of citizens will be deprived of an opportunity to consider whether they can be reconciled to God through faith in Christ (and to consider important messages from other groups). Those who do not wish to consider the message being communicated, through the free religious literature handed out by the Jesus People, need only refuse the offer of literature.

Finally, the Jesus People are part of a small religious denomination. Such groups as it, independent political groups and others desiring to communicate with the public, frequently do not have the ability to purchase television time or large computerized mailing lists. The effect of limiting the access of the public to divergent opinions in religious, political, economic, cultural, social, or commercial areas, is inevitably to concentrate power into the hands of those groups which can command large or majority followings. The religious dissenter, the political maverick, the culturally offbeat and the small entrepreneur will alike be pushed toward conformity or extinction in a sterile America.

CONCLUSION

The opinion of the Ninth Circuit should be affirmed.

FRIEDMAN & MAUCK

Dated: December 30, 1986 By: 

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